

SECTION L
INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS

L.1. 52.204-6 DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER (JUNE 1999)
(Reference 4.603)

L.2. 52.214-34 SUBMISSION OF OFFERS IN THE ENGLISH LANGUAGE (APR 1991)
(Reference 14.201-6)

L.3. 52.214-35 SUBMISSION OF OFFERS IN U.S. CURRENCY (APR 1991)
(Reference 14.201-6)

L.4. 52.215-1 INSTRUCTIONS TO OFFERORS--COMPETITIVE ACQUISITION (MAR 2001)
(Reference 15.209)

L.5. 52.222-24 PREAWARD ON-SITE EQUAL OPPORTUNITY COMPLIANCE EVALUATION (FEB 1999)
(Reference 22.810)

L.6. 52.232-38 SUBMISSION OF ELECTRONIC FUNDS TRANSFER INFORMATION WITH OFFER (MAY 1999)
(Reference 32.1110)

L.7. 52.216-1 TYPE OF CONTRACT (APR 1984)

The Government contemplates award of a requirements contract resulting from this solicitation.

(End of provision)

L.8. 52.233-2 SERVICE OF PROTEST (AUG 1996)

(a) Protests, as defined in section 33.101 of the Federal Acquisition Regulation, that are filed directly with an agency, and copies of any protests that are filed with the General Accounting Office (GAO), shall be served on the Contracting Officer (addressed as follows) by obtaining written and dated acknowledgment of receipt from the Contracting Officer, TRICARE Management Activity, Contract Management Division, 16401 East Centretech Parkway, Aurora, CO 80011-9066.

(b) The copy of any protest shall be received in the office designated above within one day of filing a protest with the GAO.

(End of provision)

L.9. GENERAL

L.9.1. This section provides instructions for preparing proposals. Offerors are cautioned to follow Section L.10., Information, and L.11., Proposal Preparation, instructions carefully to assure the Government receives consistent information in a form that will facilitate proposal evaluation.

L.9.2. Proposals will be evaluated on both written and oral information submitted and presented by offerors. Alternate proposals will not be accepted or evaluated. The Government intends to evaluate proposals and award a contract without discussions. Therefore, offerors' initial proposals should contain their best terms from a price and technical standpoint. The Government reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary.

L.9.3. Proposals shall be clear, concise, and shall include sufficient detail for effective evaluation and for substantiating the validity of stated claims. The proposal should not simply rephrase or restate the Government's requirements, but shall provide convincing rationale to address how the offeror

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intends to meet the requirements. Offerors shall assume that the Government has no prior knowledge of their facilities and experience.

L.9.4. The Government reserves the right to incorporate into the awarded contract those elements of an offeror's proposal that exceed the Government's minimum requirements or offer a unique approach to meeting those requirements. These elements must be specifically identified as enhancements by the offeror in their written proposal.

L.9.5. Elaborate brochures or documentation, binding, detailed artwork, or other embellishments shall not be submitted. Similarly, for the oral presentation, elaborate productions are not desired.

L.9.6. Proposal acceptance period. Offerors shall make a clear statement that the proposal is valid for a minimum of 120 days.

L.9.7. In accordance with Federal Acquisition Regulation Subpart 4.8, Government Contract Files, the Government will retain one copy of all proposals. Unless the offeror requests otherwise, the Government will destroy extra copies of unsuccessful proposals.

L.10. INFORMATION

L.10.1. Three-digit zip codes will be used by the contractor to define their regions. Five-digit zip codes will be used by the contractor to describe network provider distribution, if a network is proposed. Numbers of beneficiaries eligible for enrollment are identified by 3-digit zip code, by state, in Section J, Attachment 7. TRDP enrollment and covered lives history for each of the enrollment types by program type (basic and enhanced) are in Section J, Attachment 8. The workload history is summarized for claims, inquiries and appeals are in Section J, Attachment 9. The enrollments in the enhanced program by months remaining is in Section J, Attachment 10. Demographic information on TRDP enrollees is in Section J, Attachment 11. Utilization history for the TRDP is in Section J, Attachment 12. Additional information regarding number of newly eligible retirees and the number of enrollees on direct billing are in Section J, Attachment 13.

L.10.1.1 Orthodontic utilization information can be extracted from Section J, Attachment 12. It should be noted that less than 1% of the enrollees are using this benefit at this time.

L.10.2. The offeror may propose a premium structure under which the applicable premium may vary dependent upon the enrollee's residence. However, the total number of premium regions proposed may not exceed 10. A region may include non-contiguous areas as defined by 3-digit zip codes. To the extent practicable, the offeror should devise a premium structure, which minimizes the occurrence of wide variations in premiums applicable to residents within a single metropolitan area.

L.10.3. The offeror must define premium determination procedures that recognize and accommodate benefit portability for those beneficiaries with multiple residences, traveling beneficiaries and families whose members reside in different regions.

L.10.4. For Usual, Customary and Reasonable rates, the customary rate must be calculated at the 50th percentile of billed charges in that geographic area, as measured in an undiscounted charge profile in year 2000 or later for that geographic area (as defined by 3-digit Zip Code) as listed in the the most current version available of the Prevailing Health Care Charges System®, from Ingenix Health Intelligence

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(<http://www.ingenix.com/page.php?iGroup=Payer&iProduct=PHCS>) at the time the claim is adjudicated.

L.10.5. The appeals procedures which apply to TRICARE health care claims and the final TMA review process are found in the TRICARE Operations Manual DoD 6010.49-M, Chapter 13. The grievance procedures which apply to TRICARE health care are found in the TRICARE Operations Manual DoD 6010.49-M, Chapter 12, Section 10. The TRICARE Operations Manual DoD 6010.49-M is available at <http://www.TRICARE.osd.mil/tricaremanuals/>

L.10.6. Point of Contact. The Contracting Officer and the Contract Specialist are the sole points of contact for this acquisition. Address any questions or concerns you may have via the T-NEX TRDP website at <http://www.TRICARE.osd.mil/contracting/healthcare/solicitations/trdp>

L.10.7. Questions must be submitted through the T-NEX website identified above no later than 15 calendar days after the issuance of this Request for Proposals. Responses will be communicated to all interested parties through the TNEX TRDP website.

L.11. PROPOSAL PREPARATION

L.11.1. The total proposal shall consist of an oral volume and a written volume. Each volume of the proposal will be subdivided into parts, factors and subfactors. The proposal shall consist of two separate parts; each submitted as discrete packages on separate CD-ROM(s). The proposal parts shall be entitled:

- Part I - Technical Proposal
- Part II - Past Performance Information

The following formats are provided to assist in uniformity:

Written Format (*Electronic*)

Part I - the technical proposal shall be formatted as follows:

- Factor 1 - Management
- Factor 2 - Technical Approach
- Subfactor 1 - Operations of the TRICARE Retiree Dental Program
- Subfactor 2 - Customer Service

Oral presentation slides will be provided as part of the Part I submission.

Part II - the Past Performance section shall be an independent of Part I and provided on separate CD.

Written Format (*Hardcopy*)

The signed original SF33, Schedule B and Section K shall be submitted in hardcopy to the address listed in Block 7 of the Standard Form 33.

Oral Presentation Format

- Factor 1 - Management
- Factor 2 - Technical Approach
- Subfactor 1 - Operations of the TRICARE Retiree Dental Program

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Subfactor 2 - Customer Service

Offerors are to use Microsoft Office 97 products to create the oral presentation slides and the written proposal being submitted to the Government.

Included with the SF33 will be three CD copies of the written portion of PART I - the technical proposal and three CD copies of PART II - the past performance information.

NOTE: Do not use compressed file formats. Documents such as annual reports, previously printed materials, graphics or any other documents that cannot be submitted in electronic form are exempt. Three hardcopies of these materials shall be submitted.

L.11.1.1. Each individual piece of the proposals submitted shall be marked as follows:

XYZ Corporation
MDA906-02-R-0001
TRICARE Retiree Dental Program

(Describe contents of item - i.e. Past Performance)

L.11.1.2. The offeror shall provide the name, title, phone number and e-mail address of their point of contact in Section K.

L.11.2. Oral Presentation Process

L.11.2.1. Offerors will be scheduled, by telephone and email, for an oral presentation after the closing date for submission of written proposals. Offerors will be scheduled for their oral presentation by a random lottery drawing conducted by the Contracting Officer. Requests for rescheduling will not be accepted unless determined necessary by the Contracting Officer. If an offeror is not present at the scheduled time for its oral presentation, the offeror will be disqualified from further consideration for award. The purpose of the oral presentation is to demonstrate the offeror's understanding of the requirements of the prospective contract and their capability to meet those requirements. This presentation shall not be a marketing or sales presentation. The presentation shall address the offeror's technical solution to the requirement. The price proposal and the past performance information shall not be addressed in this presentation.

L.11.2.2. Oral presentations will be held at the TRICARE Management Activity (TMA) at 16401 E. Centretch Parkway in Aurora, Colorado. The oral presentations will be held in the multipurpose rooms at TMA and will comfortably accommodate up to 10 offeror representatives. Upon arrival, offerors must sign in at the security desk in the lobby of the TMA building. They will be escorted to the multipurpose room for the presentation. The presentation will be limited to two hours. Presentation materials shall consist of black and white slides without animation. Color images shall not be presented. The Government will provide a computer, loaded with Microsoft Office 97, projector and screen. The Government will provide the proposal CD submitted by the offeror containing the briefing slides. The Government will only evaluate the information explained during the oral presentation. The offeror shall not provide slides in excess of what will be presented during the initial 2 hour presentation. Any slide not explained during the oral presentation will not be evaluated. If there are discrepancies of a non-clerical nature between the information presented on the slide and the information presented orally, the information on the slide takes precedence. Any conflicts between the presentation slides and the written proposal will be resolved in favor of the written proposal.

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L.11.2.3. Following the presentation, the Government will recess for not more than 1 hour and then furnish written questions to the offeror. The offeror will be given up to 60 minutes to respond to the Government's questions. Only the Government's questions may be addressed during this second oral presentation block. Offerors must be able to answer all questions posed during this session. There will be no subsequent opportunity to submit answers or any follow-on documentation. The Government will record the presentation sessions and furnish a copy of the recording to the offeror within 20 days of the oral presentation. The offeror will not be allowed to record the sessions with their own devices.

L.11.2.4. The second oral presentation block shall not be used to cure proposal weaknesses or material omissions, materially alter the technical or price elements of the proposal, or otherwise revise the RFP. The second oral presentation block will be for clarification only and not for providing new information. Any additional unrelated information presented will not be considered or evaluated. The session shall not provide an opportunity for the offeror to revise their proposal, but may address ambiguities in the proposal or other concerns such as minor errors or mistakes.

L.11.2.5. The oral presentation will not constitute discussions nor will it obligate the Government to conduct discussions or solicit any revisions to the offer.

L.11.2.6. Key company personnel, to include subcontractor personnel (if applicable) designated with direct responsibility for the areas they are presenting shall conduct the oral presentation. No outside consultants shall be used in the presentation. The presentation must clearly demonstrate the offeror's capability, organization and method of performing the operation of a dental coverage program. Offerors shall discuss what resources and experience they possess and how they would go about obtaining additional resources necessary to accomplish the work as described in Section C of this RFP. The Contracting Officer reserves the right to ask questions to clarify information presented, but the Government will not engage in discussions during the oral presentation.

L.11.3. Oral Presentation Topics

Oral presentations shall address the following topics in the following order:

L.11.3.1. Factor 1 - Management

L.11.3.1.1. The offeror shall discuss in detail management strategies and their application to the statement of work. Describe management structure, lines of authority, and the reporting interfaces between the offeror and the Government. Discuss how coordination with the Government will be carried out in a timely and substantive fashion.

L.11.3.1.2. The offeror shall discuss in detail the nature and extent of the subcontract effort for the requirement (if applicable) to include the identity of anticipated subcontractor(s), material, facilities, and equipment. Information shall be provided to allow technical evaluation of the subcontractor's experience and capabilities.

L.11.3.2. Factor 2 - Technical Approach, Subfactor 1 - Operation of the TRICARE Retiree Dental Program

The offeror shall discuss in detail the technical approach and assumptions used in meeting the requirements of the statement of work. The offeror shall describe plans for marketing the program, plans for establishment or enhancement of networks (if proposed) and maintenance of those networks throughout the

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entire term of the contract, procedures for predetermination of treatment (if proposed), procedures for dental necessity review, procedures for notifying beneficiaries of approved and denied claims, and plans for accommodating the increase in volume to the offeror's current business that would result from this prospective contract. The offeror shall also describe the methods and strategies which will be employed to minimize total out-of-pocket costs on the part of the enrollee. Offerors shall commit to use the Prevailing Health Care Charges System®, available from Ingenix Health Intelligence, as the source of the usual, customary and reasonable charges which they will apply in determining allowable charges payable to non-network providers, shall commit to use that same source throughout the life of the contract, and shall commit to implement the most current versions of those charges for purposes of claims adjudication as soon as they become available.

L.11.3.3. Factor 2 - Technical Approach, Subfactor 2 - Customer Service

The offeror shall describe its customer service approach to include methods and processes for responding to written, electronic, and telephonic inquiries from the Government, beneficiaries, and dental care providers in order to meet the standards set forth in Section C.; and the offeror's proposed approach in responding to negative feedback. The proposal shall also discuss the capabilities and content of the proposed website.

L.11.4. Written Proposal Submission

L.11.4.1. Part I - The Technical Proposal

Offerors shall tab each separate item provided in writing and include a Table of Contents to allow reviewers to easily locate specific documents. Offerors shall submit with their written proposal a copy of all visual materials to be used in the oral presentation. No revisions or additions to those materials will be allowed or considered at any time unless requested by the Contracting Officer.

L.11.4.1.1. Factor 1 - Management

L.11.4.1.1.1. In order for an offeror to demonstrate their ability to perform successfully under the management evaluation factor, the offeror must submit all plans and documents required under the management factor for the written proposal portion of this RFP. Failure to submit any of the required plans and documents will result in disqualification from further participation in this procurement.

L.11.4.1.1.2. Offerors shall submit their Quality Control Plan and procedures. The offeror's quality control plan shall address how the offeror will ensure ongoing quality of care, ensure maximum access to network dental care providers and monitor network adequacy (if a network has been proposed), ensure timely and accurate processing of claims, and minimize out-of-pocket costs. The offeror shall commit to measure claims and correspondence processing times using the standard definitions for date of receipt and date processed to completion as set forth in this RFP. The offeror shall also describe the definitions and methodology which will be used to measure claims payment and coding accuracy for the entire contract period including all option periods that are exercised and any contract extensions.

L.11.4.1.1.3. Offerors shall establish and submit a Continuity of Operations Plan to ensure service is not disrupted for more than 24 hours in the event of a catastrophic or unforeseen event. The plan shall detail the offeror's plan for Continuity of Operations in the event of a loss of service that affects performance of the contract.

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L.11.4.1.1.4. Offerors shall define and submit an Appeals Plan that implements a process for appeals of denied coverage and denied disenrollment requests, and for receipt and processing of grievances. The offeror must comply with the procedural requirements, definitions, limitations, prerequisites and other content of the TRICARE Regulation at 32 CFR 199.10.

L.11.4.1.1.5. The Offeror shall submit a listing of key personnel along with copies of their resumes. The resume must be sufficiently detailed to demonstrate the qualifications of the individual. Individual resumes shall not be more than 4 pages.

L.11.4.1.2. Factor 2 - Technical Approach, Subfactor 1 - Operation of the TRICARE Retiree Dental Program.

L.11.4.1.2.1. If an offeror does not currently have a nationwide dental coverage program in operation, they shall provide a written plan detailing how they will establish and have a nationwide dental coverage program operational throughout the geographical scope of this contract, no later than the start of dental care delivery. If an offeror already has a nationwide dental coverage program in operation, they shall provide a written plan detailing how they will incorporate the TRDP to make it operational throughout the geographical scope of this contract no later than the start of dental care delivery.

L.11.4.1.2.2. If the offeror proposes a network, they shall submit as a part of their proposal an electronic file, in database or flat file format with appropriate value keys, field definitions and specification of field delimiters documenting the numbers and distribution by 5-digit zip code of non-specialty providers.

L.11.4.1.2.3. The offeror shall also describe the practices and procedures which will be employed throughout the life of the contract to effect enrollments, disenrollments and changes in enrollments.

L.11.4.1.2.4. The offeror may propose one monthly premium for a type of enrollment and use the total Government estimated monthly quantity provided in Section J, Attachment 1, or the offeror may propose a regional approach with up to 10 monthly premiums. If an offeror proposes the regional approach, the offeror must apportion the total Government estimated monthly quantity across the various regions. Schedule B includes contract line item numbers (CLINs) or subline item numbers (SLINs) to accommodate the two different proposal approaches.

L.11.4.1.2.4.1. If multiple regions are proposed, for each 3-digit zip code, the offeror must identify in their technical proposal which region it falls into. For each type of enrollment, the sum of the various regional estimated monthly quantities must equal the total Government estimated quantity for that particular type of enrollment during that particular contract period.

L.11.4.1.2.4.2. If multiple regions are proposed, the offeror must propose the same 3-digit zip code groupings for both programs, Basic and Enhanced, and for all of the contract periods.

L.11.4.1.2.4.3. Offeror technical proposal CD-ROMs shall include Microsoft Excel 97 spreadsheet files that include zip code information with cell formulas intact.

L.11.4.1.3. Factor 2 - Technical Approach, Subfactor 2 - Customer Service

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No written information is required.

L.11.4.2. Part II - Past Performance Information

L.11.4.2.1. This section applies to offerors and their proposed first-tier subcontractors, partners, consortium members and key personnel, as pertinent. Offerors shall submit past performance information pertinent to the operation of a dental coverage program on their five largest and most recent (i.e., January 1, 1999, to present) accounts. If an offeror does not have five accounts within the time frame specified, they are to submit pertinent past performance information on the number of accounts they do have. The number of covered beneficiaries shall determine the five largest accounts. In addition, the offeror should list all local, state, and federal government contracts awarded for the operation of a dental coverage program. Offerors shall submit client completed appraisals (for format, see Section J, Attachment 14), customer satisfaction surveys and other pertinent documentation detailing their past performance. The information provided shall identify the customer, functions performed under the cited contract, covered time period, supporting documentation for the information provided, and a point of contact (name, title, address, phone number, e-mail address).

L.11.4.2.2. The Government will accept and review past performance information dating back to January 1, 1999. The Government reserves the right to obtain past performance data from any other source, including other federal, state and local government sources, as well as commercial sources. Past performance information will be used to assess an offeror's relative performance confidence which shall be considered in the overall evaluation.

L.11.4.2.3. Offerors with past contracts (dental or other) terminated for cause shall submit documentation detailing the reason for termination. The documentation shall identify the name and address of the account and name and telephone number of the cognizant contracting official. If the termination for cause was the result of failure to perform the contract satisfactorily, also provide the corrective action taken and the results of that action. This paragraph also applies to proposed first-tier subcontractors, partners, consortium members and key personnel, as pertinent.

L.11.4.2.4. Offerors who have no pertinent past performance history shall submit any information relating to any key personnel in the company who have worked in the dental coverage program field.

L.11.4.2.5. Offerors who have pertinent past performance history pertaining to subcontracting with small and disadvantaged businesses shall submit information relating to any such subcontracting.

L.11.4.3. Completion of Schedule B

L.11.4.3.1. Offerors are required to submit a complete Standard Form 33 Schedule of Services and Prices. Monthly fixed premiums for each of the three types of enrollment (Single, Two Party, and Family) within each of the two programs (Basic and Enhanced) must be provided for each of the five option periods.

L.11.4.3.2. Offerors may propose one monthly premium for a type of enrollment and use the total Government estimated monthly quantity provided in Section J, Attachment 1, or offerors may propose a regional approach with up to 10 monthly premiums.

L.11.4.3.3. Cost or pricing data is not initially required. However, if the Contracting Officer requires additional cost information to determine a price fair and reasonable, offerors may be required to submit information other than

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cost or pricing data, or in some cases, cost or pricing data supported by a Certificate of Current Cost or Pricing Data.

L.11.4.3.4. Offerors' proposed fixed premiums shall include all costs associated with the contract requirements

L.12. SUBCONTRACTING PLAN

L.12.1. Offerors not designated as small businesses shall submit a subcontracting plan pursuant to Federal Acquisition Regulation (FAR) Part 19.702 and clause 52.219-9 entitled "Small Business Subcontracting Plan". The subcontracting plan shall meet the minimum requirements set forth in the FAR. The plan must be reviewed and approved by the Contracting Officer.

L.12.2. Offerors who have had any previous subcontracts shall provide at least two of its most recent subcontracting plans and the actual results in achieving the goals that were established in those plans.